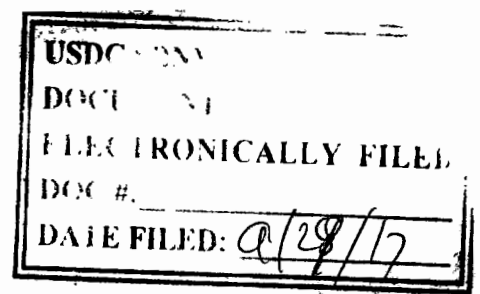


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
MATTHEW LOMBARDO AND WHO'S
HOLIDAY LLC,

Plaintiffs,

v.

DR. SEUSS ENTERPRISES, L.P.,

Defendants.
----- X

**ORDER DENYING
PLAINTIFFS' MOTION FOR
ATTORNEY FEES**

16 Civ. 9974 (AKH)


ALVIN K. HELLERSTEIN, U.S.D.J.:

Having obtained judgment on the pleadings, plaintiffs now move for attorneys' fees. In light of defendant's appeal of my September 15, 2017 order granting judgment to plaintiffs, the motion for attorneys' fees is denied without prejudice with leave to renew upon final resolution of the appeal.

Plaintiffs have also moved for an appeal bond pursuant to Rule 7 of the Federal Rules of Appellate Procedure. The parties shall meet and confer to discuss whether an appeal bond is appropriate in this case, and if so, the proper amount. If no agreement can be reached, defendant shall oppose plaintiffs' motion for an appeal bond by October 13, 2017, and plaintiffs shall reply by October 20, 2017.

SO ORDERED.

Dated: September 29, 2017
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge